

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

MDL 1456

Master File No. 01-CV-12257-PBS

Judge Patti B. Saris

THIS DOCUMENT RELATES TO:

Thompson v. Abbott Laboratories, et al.,
N.D. Cal. Case No. C 02-4450 MJJ

NOTICE OF VOLUNTARY DISMISSAL

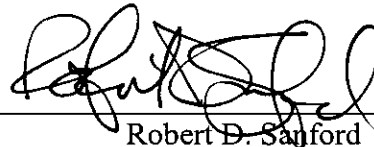
NOTICE IS HEREBY GIVEN that pursuant to Federal Rule of Civil Procedure 41(a)(1), plaintiff Constance Thompson Rice voluntarily dismisses the above-captioned action without prejudice as to the following Defendants: Alpha Therapeutic Corporation; Chiron Corporation; Cetus Oncology; Faulding Pharmaceuticals Co.; Geneva Pharmaceuticals, Inc.; Ivax Pharmaceuticals; Mylan Laboratories, Inc.; Nabi Biopharmaceuticals, Inc.; Wyeth, formerly known as American Home Products, including defendants named as Elkins Sinn, Lederle Oncology, and Wyeth Ayerst Laboratories; and Zenith Goldline.

Respectfully submitted,

MOSCONE, EMBLIDGE & QUADRA LLP

DATED: February 24, 2004

By


Robert D. Sanford

Attorneys for Plaintiff John Rice